

**UNITED STATES DISTRICT COURT****SOUTHERN DISTRICT OF TEXAS**  
**ENTERED****HOUSTON DIVISION**

December 15, 2022

Nathan Ochsner, Clerk

UNITED STATES OF AMERICA

§

*versus*

§

§

Criminal No. 4:22-cr-00612

§

John Rybarczyk

§

**SCHEDULING ORDER**

1. MOTIONS will be filed by January 3, 2023

**Any motions filed must comply with the Local Rules for the Southern District of Texas, in particular SDTX CrLR 12.2.**

2. RESPONSES will be filed by January 17, 2023

**If discovery is opposed, opposition must be filed immediately and response(s) must comply with the Local Rules for the Southern District of Texas, in particular, SDTX CrLR 12.3.**

**\* Request(s) and objection(s) must be based on substance, not form.**

3. PRETRIAL CONFERENCE is set for February 6, 2023, at 08:30 AM

**\*Proposed voir dire questions and jury instructions due at Docket Call/Final Pretrial Conference.**

**\*\*A courtesy copy must be made available to the Court if it exceeds 25 pages.**

**Parties must engage in timely plea negotiations. The FPTC date is NOT a date to secure a plea agreement and review it with the defendant-client. The parties must be ready to enter a plea of guilty or proceed to trial on announcement.**

4. Jury Trial is set for February 13, 2023, at 09:00 AM

5. Estimated Trial Time: (5.5 hours/day) \_\_\_\_\_

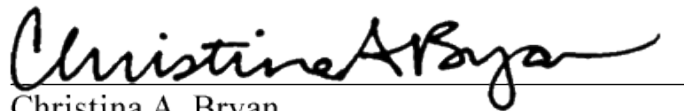
6. Motions for continuance must be filed at least three (3) business days prior to the date of the court setting and will be granted only at the Court's discretion. Motions for continuance made on the day the matter is set will not be granted absent a showing of good cause.

7. This Court's criminal docket is extremely crowded, and for purposes of docket management, this Court must be informed as to possible pre-trial disposition of cases on its docket. Therefore, pursuant to Federal Rule of Criminal Procedure 11(e)(5) and the holding of the Fifth Circuit Court of Appeals in *United States v. Ellis*, 47 F.2d 863 (5th Cir. 1977), any plea bargain or plea agreement entered into by the parties in this cause must be made known to the Court three (3) days before FPTC. No plea bargain agreement entered in to after this date will be honored by the Court without good cause shown for the delay.

The defendant and his/her attorney must appear for the Court settings. Failure to appear may result in additional charges being brought against the defendant.

Direct questions about this schedule to Rhonda Hawkins, Case Manager, United States District Clerk, 515 Rusk Street, Room 8613, Houston, 77002, (713) 250-5518.

SIGNED on December 15, 2022, at Houston, Texas.

A handwritten signature in black ink that reads "Christina A. Bryan". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Christina A. Bryan  
United States Magistrate Judge